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**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Naoki Agata

Surender Kharbanda

Serial No.: 10/082,521

Filed: February 23, 2002

For: TUMOR CHEMOPOTENTIATION USING  
ISOCOUMARIN DERIVATIVES

Patent No.: 6,900,239

Issue Date: May 31, 2005

Atty. Dkt. No.: ILEX:098US

08/02/2005 TBESHAH1 00000011 501212 6900239  
01 FC:1462 270.00 DA 130.00 OP

**CERTIFICATE OF MAILING  
37 C.F.R. § 1.8**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA, 22313-1450, on the date below:

July 28, 2005  
Date

*Monica A. De La Paz*  
Monica A. De La Paz

**PETITION UNDER 37 C.F.R. § 1.183  
TO CORRECT ASSIGNEE IN ISSUED PATENT**

**MAIL STOP PETITION**

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.183 and MPEP § 1481, Applicants respectfully request the grant of this petition to correctly depict the name of the assignee on the above-referenced patent.

Due to a clerical error, Applicants' representative inadvertently entered incorrect assignee information under item 3 of Form PTOL-85B at the time of payment of the Issue Fee.

The Notice of Recordation of Assignment Document dated June 21, 2002, indicates that

an Assignment from Assignors Kharbanda Surender and Naoki Agata to Assignee ILEX

08/02/2005 TBESHAH1 00000011 501212 6900239

02 FC:1812 559851.1 100.00 DA

Products, Inc. was recorded on June 21, 2002, at reel/frame 012817/0685. A copy of this document is attached hereto as Appendix A.

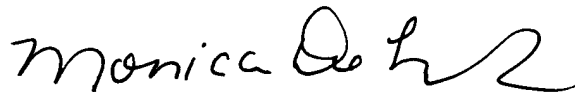
Therefore the correct name of the assignee should appear as follows:

ILEX Products, Inc.

It is requested that the provisions of 37 C.F.R. § 3.81(a) be waived to permit correction of Applicants' error in the names of the Assignees after issuance of the patent. It is further requested that, if this petition is granted, the file be forwarded to the Certificate of Correction Branch for issuance of the enclosed Certificate of Correction. Applicants hereby authorize the Commissioner to deduct the \$100.00 fee for the Certificate of Correction from Fulbright & Jaworski Deposit Account No. 50-1212/ILEX:098US.

In accordance with 37 C.F.R. § 1.17(h), a petition fee in the amount of \$130.00 is enclosed. If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, the Commissioner is authorized to deduct said fees from Fulbright & Jaworski Deposit Account No. 50-1212/ILEX:098US.

Respectfully submitted,



Monica A. De La Paz  
Reg. No. 54,662  
Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P.  
600 Congress Ave, Ste. 2400  
Austin, Texas 78701  
512.536.5639 (voice)  
512.536.4598 (fax)

Date: July 28, 2005

## **APPENDIX A**



UNITED STATES  
PATENT AND  
TRADEMARK OFFICE

AUG 01 2005  
PATENT & TRADEMARK OFFICE

1000.06.003



JUNE 21, 2002

PTAS

Chief Information Officer  
Washington, DC 20231  
www.uspto.gov

ILEX ONCOLOGY, INC.  
STEPHEN J. MOLONEY  
4545 HORIZON HILL BLVD.  
SAN ANTONIO, TX 78229



\*102069536A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 04/15/2002

REEL/FRAME: 012817/0685  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

KHARBANDA, SURENDER

DOC DATE: 04/01/2002

ASSIGNOR:

AGATA, NAOKI

DOC DATE: 04/01/2002

ASSIGNEE:

ILEX PRODUCTS, INC.  
4545 HORIZON HILL BLVD.  
SAN ANTONIO, TEXAS 78229

SERIAL NUMBER: 10082521  
PATENT NUMBER:

FILING DATE: 02/23/2002  
ISSUE DATE:

KIMBERLY WHITE, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS



04-26-2002

ocket No.: 1000.06.003

ET

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office



Tab settings

To the Honorable Commissioner of Patents and Trademarks:

102069536

are attached original documents or copy thereof.

1. Name of conveying party(ies):

SURENDER KHARBANDA  
NAOKI AGATA

4-15-02

Additional names(s) of conveying party(ies)

☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment

☐ Merger

☐ Security Agreement

☐ Change of Name

☐ Other

Execution Date: APRIL 1, 2002

2. Name and address of receiving party(ies):

Name: ILEX PRODUCTS, INC.

Address: 4545 HORIZON HILL BLVD.

City: SAN ANTONIO

State/Prov.: TX

Country: USA

ZIP: 78229

Additional name(s) & address(es)

☐ Yes ☒ No

4. Application number(s) or patent numbers(s):

If this document is being filed together with a new application, the execution date of the application is:

Patent Application No.

Filing date

10/082,521

02/23/02

Additional numbers

B. Patent No.(s)

☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: STEPHEN J. MOLONEY

Registration No. 44,947

Address: ILEX ONCOLOGY, INC.

4545 HORIZON HILL BLVD.

City: SAN ANTONIO

State/Prov.: TX

Country: USA

ZIP: 78229

6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 3.41):.....\$ 40.00

☐ Enclosed - Any excess or insufficiency should be credited or debited to deposit account

☒ Authorized to be charged to deposit account

8. Deposit account number:

501786

(Attach duplicate copy of this page if paying by deposit account)

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

STEPHEN J. MOLONEY

Name of Person Signing

Signature

Date

4

Total number of pages including cover sheet, attachments, and

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FINANCE SECTION

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01 F1:581

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## ASSIGNMENT OF APPLICATION

Docket Number (Optional)

Whereas, I, Surender Kharbada of Natick, MA, hereafter referred to as applicant, have invented certain new and useful improvements in \_\_\_\_\_  
TUMOR CHEMOPOTENTIATION USING ISOCOUMARIN DERIVATIVES

- ☒ for which an application for a United States Patent was filed on 02/23/02,  
Application Number 10 / 082,521.
- ☐ for which an application for a United States Patent was executed on \_\_\_\_\_, and

Whereas, ILEX PRODUCTS, INC. of SAN ANTONIO, TEXAS herein referred to "assignee" whose post office address is 4545 HORIZON HILL BLVD., SAN ANTONIO, TEXAS 78229 is desirous of acquiring the entire right, title and interest in the same;

Now, therefore, in consideration of the sum of \_\_\_\_\_ ten \_\_\_\_\_ dollars (\$ 10.00 ), the receipt whereof is acknowledged, and other good and valuable consideration, I, the applicant, by these presents do sell, assign and transfer unto said assignee the full and exclusive right to the said invention in the United States and the entire right, title and interest in and to any and all Patents which may be granted therefor in the United States, I hereby authorize and request the Commissioner of Patents and Trademarks to issue said United States Patent to said assignee, of the entire right, title, and interest in and to the same, for his sole use and behoof; and for the use and behoof of his legal representatives, to the full end of the term for which said Patent may be granted, as fully and entirely as the same would have been held by me had this assignment and sale not been made.

Executed this 1 day of April, 2002  
at BOSTON, MASS

KTawson  
(Signature)

State of MASSACHUSETTS:

County of SUFFOLK

Before me personally appeared said SURENDER KHARBANDA  
and acknowledged the foregoing instrument to be his free act and deed this 1ST  
day of APRIL, 2002

Seal

MY COMMISSION EXPIRES: 02/03/06

[Signature]  
(Notary Public)

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## ASSIGNMENT OF APPLICATION

Docket Number (Optional)

Whereas, I, NAOKI AGATA of BROOKLINE, MASSACHUSETTS, hereafter referred to as applicant, have invented certain new and useful improvements in \_\_\_\_\_  
TUMOR CHEMOPOTENTIATION USING ISOCOUMARIN DERIVATIVES

- ☒ for which an application for a United States Patent was filed on 02/23/02  
Application Number 10 / 082,521
- ☐ for which an application for a United States Patent was executed on \_\_\_\_\_, and

Whereas, ILEX PRODUCTS, INC. of SAN ANTONIO, TEXAS herein referred to "assignee" whose post office address is 4545 HORIZON HILL BLVD., SAN ANTONIO, TEXAS 78229 is desirous of acquiring the entire right, title and interest in the same;

Now, therefore, in consideration of the sum of \_\_\_\_\_ ten \_\_\_\_\_ dollars (\$ 10.00 ), the receipt whereof is acknowledged, and other good and valuable consideration, I, the applicant, by these presents do sell, assign and transfer unto said assignee the full and exclusive right to the said invention in the United States and the entire right, title and interest in and to any and all Patents which may be granted therefor in the United States, I hereby authorize and request the Commissioner of Patents and Trademarks to issue said United States Patent to said assignee, of the entire right, title, and interest in and to the same, for his sole use and behoof; and for the use and behoof of his legal representatives, to the full end of the term for which said Patent may be granted, as fully and entirely as the same would have been held by me had this assignment and sale not been made.

Executed this 1 day of April, 2002  
at Boston, Massachusetts

Naoki Agata  
(Signature)

State of MASSACHUSETTS:  
County of SUFFOLK

Before me personally appeared said NAOKI AGATA  
and acknowledged the foregoing instrument to be his free act and deed this 15<sup>th</sup>  
day of APRIL, 2002

MY COMMISSION EXPIRES: 02-03-06

Seal

[Signature]  
(Notary Public)

# UNITED STATES PATENT AND TRADEMARK OFFICE

## CERTIFICATE OF CORRECTION

PATENT NO. : 6,900,239  
 DATED : May 31, 2005  
 INVENTOR(S) : Agata *et al.*

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

In the title page, item (73) "Assignee", please delete "ILWZ".

MAILING ADDRESS OF SENDER:  
 Steven L. Highlander  
 FULBRIGHT & JAWORSKI L.L.P.  
 600 Congress Ave., Suite 2400  
 Austin, Texas 78701

PATENT NO. 6,900,239  
 No. of add'l. copies  
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⇒ \_\_\_\_\_